

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

*IN RE SUBPOENA OF JAMES COMEY BY
AUTHORITY OF THE HOUSE OF
REPRESENTATIVES OF THE CONGRESS OF THE
UNITED STATES OF AMERICA*

Miscellaneous Case No.

**AFFIRMATION OF DAVID N. KELLEY, ESQ. IN SUPPORT OF
MOTION TO QUASH SUBPOENA AND STAY PROCEEDINGS PENDING DECISION**

I, DAVID N. KELLEY, ESQ., affirm under penalty of perjury that:

1. I am a partner of the law firm Dechert LLP (“Dechert”), counsel to James B. Comey. I respectfully submit this affirmation in support Mr. Comey’s motion to quash the congressional subpoena and motion to stay proceedings pending decision.
2. Attached as Exhibit A is a true and correct copy of the Subpoena by the House Judiciary Committee for James Comey, dated November 21, 2018.
3. Attached as Exhibit B is a true and correct copy of the email correspondence between David Kelley and Chief Investigative Counsel to the U.S. House of Representatives, Arthur Baker, dated September 10, 2018.
4. Attached as Exhibit C is a true and correct copy of the letter from Chairman of the Committee on the Judiciary Bob Goodlatte and Chairman of the Committee on Oversight and Government Reform Trey Gowdy requesting James Comey’s appearance for a transcribed interview, dated September 21, 2018.
5. Attached as Exhibit D is a true and correct copy of the email correspondence between David Kelley and Chief Investigative Counsel to the U.S. House of Representatives,

Arthur Baker, with the attached letter from David Kelley to the House of Representatives declining the House Judiciary Committee's request for a private interview, dated October 1, 2018.

6. Attached as Exhibit E is a true and correct copy of the Fox News article titled "GOP rep touches off firestorm with claim FBI leaked info, used stories to get FISA warrants," dated August 28, 2018.

7. Attached as Exhibit F is a true and correct copy of The Hill's article titled "Former FBI lawyer speaks with House lawmakers on Rosenstein, 2016," dated October 18, 2018.

8. Attached as Exhibit G is a true and correct copy of the CNN article titled "Top FBI official grilled on Comey, Clinton in Hill testimony," dated December 22, 2017.

9. Attached as Exhibit H is a true and correct copy of the CNBC article titled "Justice Department lawyer Bruce Ohr, frequently targeted by President Trump, was told Russia had 'Trump over a barrel,'" dated October 31, 2018.

10. Attached as Exhibit I is a true and correct copy of the Politico article titled "GOP lawmakers grill DOJ official Ohr over Trump dossier," dated October 31, 2018.

11. Attached as Exhibit J is a true and correct copy of the CNN article titled "Embattled FBI agent meets with Congress behind closed doors in 11-hour marathon," dated June 28, 2018.

12. Attached as Exhibit K is a true and correct copy of The Hill's article titled "House GOP questions FBI lawyer for second day," dated July 16, 2018.

13. Attached as Exhibit L is a true and correct copy of the Washington Examiner's article titled "Louie Gohmert: Lisa Page is giving us 'more insights' into Russia Investigation," dated July 17, 2018.

14. Attached as Exhibit M is a true and correct copy of CBS News' "Transcript: Rep. Trey Gowdy on 'Face the Nation,'" dated November 25, 2018.

15. Attached as Exhibit N is a true and correct copy of The New York Times' article titled "Trump Wanted to Order Justice Dept. to Prosecute Comey and Clinton," dated November 20, 2018.

Dated: New York, New York
November 29, 2018



David N. Kelley, Esq.